

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Alexis Templeton, Maureen Costello,	)	
Brittany Ferrell, Steven Hoffmann,	)	
Nile McClain, Kira Hudson Banks,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
Sam Dotson, Chief of Police,	)	
City of St. Louis,	)	
Jon Belmar, Chief of Police	)	
County of St. Louis,	)	No.
Capt. Ron Johnson, Missouri	)	
Highway Patrol, In their official	)	
capacities and as part of the Unified	)	
Command	)	
	)	
Defendants.	)	
	)	

**DECLARATION OF STEVEN HOFFMANN**

I, Steven Hoffmann, hereby declare as follows:

1. I am a United States citizen and a resident of St. Louis County, Missouri, residing in the 2600 block of Union Road. I am 31 years old.
2. I work as a bookseller.
3. Since August, I have volunteered my time as a legal observer at demonstrations to bring attention to issues of public concern arising from Michael Brown's death. I intend to continue to do so in the future.



4. I have not been a participant in the demonstrations, but I believe that people have a first amendment right to participate in them. I care deeply about civil liberties and believe it is important to observe the process.
5. Late in the night of Monday November 24 and into the early morning hours of Tuesday November 25, I was serving as a legal observer at a gathering of people on public spaces near the intersection of Grand and Arsenal in St. Louis City. Earlier in the evening I served as a legal observer at demonstrations on West Florissant Ave. in Ferguson.
6. I arrived at the corner of South Grand and Hartford at 12:25 a.m. Things were peaceful. There were people gathered at the corner and some in the street. People told us that a larger crowd had been gathered at that location about one hour prior, when windows got broken. By the time I arrived, the event was peaceful. I did not witness any criminal behavior. There was a strange smell in the air, it smelled like fireworks.
7. I was standing across the street, on the east side of the intersection. I was wearing a bright green hat identifying me as a legal observer and I was holding a notepad to take notes.
8. At that point, there were only a few of us standing on the corner, myself and a photographer and maybe one or two others. Other people were gathered across the street on the southwest corner of Grand and Arsenal.
9. Police appeared in a large tactical truck travelling north on Grand. They stopped at the intersection and pointed a shot gun at me.




10. I heard one of the officers mention my status as a legal observer on the corner just before they shot a canister of tear gas directly at me. The targeting of me was very frightening.
11. Then police shot tear gas canisters in both directions. Multiple canisters were dispensed.
12. Tear gas was coming from both sides. There was a volley of tear gas canisters coming from one direction and another volley of tear gas canisters coming from the other direction. There was nowhere I could go to get away from it. My colleagues were across the street and couldn't get to me. I couldn't cross the street to get to them. I was alone.
13. The truck then turned left to travel west on Arsenal and shot more canisters of tear gas at MokaeBe's as they did.
14. I witnessed what appeared to be large canisters of tear gas as well as smaller devices which appeared to be flash grenades, lodged at people. In my estimation, there were more than 20 canisters dispensed overall in a short period of time.
15. There was hardly anyone out, but they kept firing tear gas after tear gas. In my estimation there were approximately 10 people standing on Arsenal and another 15 standing on Grand.
16. The smoke was so thick it was debilitating. I couldn't breathe; I couldn't see. The gas was so thick, strong and concentrated; it must have seeped into the nearby homes. The people at MoKaBe's appeared to be trapped and had multiple rounds of tear gas fired at them at close range. I was very afraid for the people at MoKaBe's. I felt they were in danger due to the police action.



17. In my opinion, the lodging of the tear gas against those standing peacefully was to punish them for the acts of other people who had demonstrated at that location earlier in the night.
18. The extensive use of the tear gas made no sense to me; it seemed to me that the intent was to punish people for being there.
19. I've seen bad policing before in my role as a legal observer, but this was beyond the pale.
20. To be terrorized in my own community, it feels terrible.
21. I was present as a legal observer and did not participate in any protest or demonstration, yet I was targeted for tear gas.
22. I decided to become a legal observer after seeing how police responded to demonstrators back in August. Based on repressive police tactics I had seen at prior demonstrations, I was concerned that events designed to bring attention to issues surrounding Michael Brown's death could be an oppressive environment, I felt it was important to document interactions between police and demonstrators.
23. I believe that I have a right to observe what is happening in a public place.
24. In both Ferguson and Shaw that evening, the police's indiscriminate and targeted use of tear gas and blocking of safe passage impeded my ability to effectively observe the process. I felt like I was targeted specifically because they didn't want me observing the process.
25. I believe that unless this behavior is stopped that I will be prevented from exercising my first amendment rights in the future.

I declare under penalty of perjury under the laws of the United States of America that  
the foregoing is true and correct. Executed on December 1, 2014.

  
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Steven Hoffmann